

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BRIAN MOORE,  
ELLEN MOORE,  
Plaintiffs

v.

MAYOR AND CITY COUNCIL FOR THE  
CITY OF SALISBURY, e t al.,  
Defendants

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Civil Action No. CCB-01-0417

**ORDER**

As plaintiffs have submitted the required civil filing fee of \$150.00, they bear the responsibility for effecting service of process on the defendant. Pursuant to Fed. R. Civ. P. 4, plaintiffs may so do by presenting summonses to the Clerk of the Court for signature and seal and then serving a copy of the summons and complaint on the defendant. Service of the summons and complaint may be effected **by any person who is not a party and who is at least 18 years of age.**<sup>1</sup>

Plaintiffs are reminded that under Fed. R. Civ. P. 4(l), the person effecting service of a summons and complaint must promptly notify this Court, through an affidavit, that he or she has served the defendant.<sup>2</sup> If plaintiffs do not use a private process service, and instead uses registered

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<sup>1</sup>As an alternative, plaintiffs may elect to notify the defendant that the instant action has been filed and to request that the defendant waive service of summons. If plaintiffs elect to seek waiver of service of summons from the defendant, they should follow the notice and request and waiver procedure set forth in Fed. R. Civ. P. 4(d).

<sup>2</sup>If there is no record in the court file that service was effected on the defendants, plaintiffs risk dismissal of this cause of action. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 103.8.a., if a party demanding affirmative relief has not effected service of process within 120 days of filing the pleading seeking the affirmative relief, the Court may enter an order asking the party to show cause why the claims should not be dismissed. If the party fails to show cause within fourteen (14) days of the entry of the order or such other time as may be set by the Court, the claim shall be dismissed without prejudice.

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or certified mail to make service, they must file with the Court the United States Post Office acknowledgment as proof of service. If plaintiffs elect to use the notice and request and waiver procedure to serve the defendants, they should file a copy of the notice with the Court pursuant to Local Rule 103.2.c. (D. Md.); keep a copy of the waiver when it is returned to them; and file the original waiver with this Court as proof of service.

Accordingly, IT IS this 14<sup>th</sup> day of February, 2001, by this Court hereby **ORDERED** that:

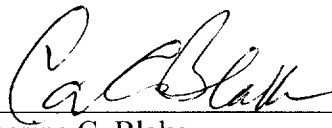
1. Plaintiffs are advised that the complaint received by the Court consists of only two pages, the first beginning with numbered paragraph 5 and the second with a claim for relief. If it was Plaintiff's intention to file a longer complaint which included numbered paragraphs 1 through 4, they are advised that they must submit an amended complaint;

2. The Clerk is directed to issue summonses for Defendants and return them along with the service copies of the complaint to Plaintiffs for service;

3. Plaintiffs shall be required to inform the Court of any change of address during the pendency of this action pursuant to Local Rule 102.1.b.ii (D. Md.). Further, as required by Fed. R. Civ. P. 5, the plaintiffs shall serve notice of any change of address to all counsel of record;

4. Plaintiffs are advised because they are proceeding *pro se*, they must each sign any pleadings or papers submitted. Any pleading or paper signed by only one of the Plaintiffs will be deemed to have been filed only on behalf of the person who signed it; and

5. The Clerk is directed to mail a copy of this Order to each of the Plaintiffs.

  
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Catherine C. Blake  
United States District Judge